

EXHIBIT NO. 4: McALPINE & COZAD PART I

# McALPINE, PEULER & COZAD

A PROFESSIONAL LAW CORPORATION

701 SOUTH PETERS STREET - SUITE 300

NEW ORLEANS, LA 70130

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FAX (504) 528-9442

## HOUSTON OFFICE

4900 WOODWAY • SUITE 550

HOUSTON, TEXAS 77056

TELEPHONE: (713) 629-1212

FACSIMILE: (713) 629-1441

March 4, 1999

Billed through 01/31/99

INVOICE NO. 0380-05535-011 JRF, INTERIM

Leisnoi, Inc.  
4300 B Street  
Suite 207  
Anchorage, AK 99503

IBLA

### FOR PROFESSIONAL SERVICES RENDERED

01/04/99 JRF	Telephone conference with B. Cain re: rebutting Stratman's arguments raised in his opening brief; .30 hrs 180 /hr	54.00
01/04/99 JRF	Telephone conference with Ed Ward re: letter from M. Schneider purporting to advise Leisnoi's board to notify shareholders of Stratman's procedural victory; .20 hrs 180 /hr	N/C
01/04/99 JRF	Receive and review letter from M. Schneider wherein he attempts to rattle Leisnoi's cage to try to coerce a settlement; .10 hrs 180 /hr	18.00
01/05/99 JRF	Analyze and research whether the December 18th decision by the Alaska Supreme Court could give rise to application of the doctrines of collateral estoppel or res judicata; .50 hrs 180 /hr	90.00
01/11/99 JRF	Telephone conference with F. Feichtinger re: information needed for answering brief due February 8th; .10 hrs 180 /hr	18.00
01/14/99 JRF	Study Woody Island Family List, and the BIA Official Roll; Analyze how Stratman is attempting to blur the distinction between permanent residence as that term is defined in Title 25 of the Code of Federal Regulations with the common law concept of residency; Legal research re: found case law supporting proposition that conflicts between answers given in enrollment forms columns 17-21 and column 16 do not create doubt as to the information in column 16, the permanent residence of the Native; 2.50 hrs 180 /hr	450.00

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Leisnoi, Inc.  
INVOICE NO.

0380-05535-011 JRF

01/14/99 JRF	Telephone conference with B. Cain re: attacking Stratman's legal arguments, and evidentiary issues; Two telephone conferences with R. Mothershead re: whether inheriting shares suffices to qualify as having been enrolled to the village;	.50 hrs 180 /hr	90.00
01/14/99 JRF	Legal research re: effect of enrollment as to a Native who inherited shares but had been in the village in 1970; Check ANCSCA statute as well as pertinent CFR regulations and decisional law;	1.80 hrs 180 /hr	324.00
01/14/99 JRF	Begin studying the ANCAB decisions relied upon by Stratman in his opening brief;	2.60 hrs 180 /hr	468.00
01/15/99 JRF	Legal research and analysis re: issue of children being presumed to have same residency as parents, and whether the rule applies in ANCAB situations; Research whether the rule can be used to include an otherwise ineligible child, as well as to exclude an otherwise eligible child;	2.20 hrs 180 /hr	396.00
01/15/99 JRF	Telephone conference with F. Feichtinger re: minor children issue, and enrollment issue;	.20 hrs 180 /hr	36.00
01/15/99 JRF	Legal research and analysis re: whether persons who lived on Woody Island can be counted as residents even if not enrolled to the village; Check ANCSCA statute and implementing regulations; Research whether persons not enrolled can be counted toward the 13 residents who actually lived on the island for a period of time;	2.50 hrs 180 /hr	450.00
01/15/99 JRF	Study ANCAB cases;	3.50 hrs 180 /hr	630.00
01/16/99 JRF	Study first 159 pages of Stratman's 325 page brief, and formulate arguments to present in opposition thereto; Cross-check legal arguments with ANCAB cites;	2.90 hrs 180 /hr	522.00
01/18/99 JRF	Study remaining 166 pages of Stratman's brief;	3.00 hrs 180 /hr	540.00
01/18/99 JRF	Analyze appropriate legal arguments to raise to defeat Schneider's analysis and Stratman's position; Review Stratman's case citations to see how he is distorting the holding of some ANCAB cases;	2.00 hrs 180 /hr	360.00
01/20/99 JRF	Legal research re: whether decision of ANCAB dismissing Sierra Club's challenge to Leisnoi's certification can be used to trigger application of the doctrine of res judicata or collateral estoppel even though Stratman was not a party to that case;	2.30 hrs 180 /hr	414.00

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Leisnoi, Inc.  
INVOICE NO.

0380-05535-011 JRF

01/25/99 JRF	Legal research and analysis re: doctrine of issue preclusion and how it can be applied to the Stratman challenge to Woody Island's certification;	2.60 hrs	180 /hr	468.00
01/25/99 JRF	Study prior challenges to Woody Island's certification and compare Stratman's arguments, noting similar issues have been raised again;	1.00 hrs	180 /hr	180.00
01/25/99 JRF	Begin drafting Leisnoi's Answering Brief;	5.00 hrs	180 /hr	900.00
01/26/99 JRF	Draft additional sections of Leisnoi, Inc.'s Answering Brief;	6.00 hrs	180 /hr	1,080.00
01/27/99 JRF	Study ANACAB decisions in Kasaan, Afognak, Chitina, Manley Hot Springs, and Chenega;	1.50 hrs	180 /hr	270.00
01/27/99 JRF	Draft additional sections of Leisnoi's Answering Brief;	5.80 hrs	180 /hr	1,044.00
01/28/99 JRF	Study transcripts of hearings in Anchorage and Kodiak;	2.00 hrs	180 /hr	360.00
01/28/99 JRF	Study Stratman's Opening Brief;	1.00 hrs	180 /hr	180.00
01/28/99 JRF	Draft multiple additional sections of Leisnoi's Answering Brief;	5.40 hrs	180 /hr	972.00
01/28/99 JRF	Telephone conference with F. Feichtinger re: birthdates of the children of Agnes Frump, and arguments we are raising in Answering Brief;	.20 hrs	180 /hr	36.00
01/29/99 JRF	Work on section of brief addressing challenge to individuals claimed as permanent residents of Woody Island;	3.60 hrs	180 /hr	648.00

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\$10,998.00

FOR PROFESSIONAL SERVICES

## ITEMIZED EXPENSES:

Courier Service/Express Mail	34.20
FedEx	
Courier Service/Express Mail	38.00
FedEx	
Courier Service/Express Mail	33.20
FedEx	
Courier Service/Express Mail	27.50
FedEx	
Outgoing Facsimile Charges - 6 pages @ 0.25	1.50
Long Distance Telephone Calls	13.96
Photocopies - 33 copies @ 0.10	3.30
Postage	1.60

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\$ 153.26

TOTAL ITEMIZED EXPENSES

PAGE 4

Leisnoi, Inc.  
INVOICE NO. 0380-05535-011 JRF

BILLING SUMMARY

John R. Fitzgerald	61.30 hrs	180 /hr	\$ 10,998.00
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TOTAL FEES			\$ 10,998.00
TOTAL DISBURSEMENTS			153.26
			-----
TOTAL DUE			\$ 11,151.26
			=====

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4900 WOODWAY • SUITE 550

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April 8, 1999

Billed through 02/28/99

INVOICE NO. 0380-05535-012 JRF, INTERIM

Leisnoi, Inc.  
 4300 B Street  
 Suite 207  
 Anchorage, AK 99503

IBLA

## FOR PROFESSIONAL SERVICES RENDERED

02/01/99 JRF	Study transcripts of depositions taken in the 1970s;	1.00 hrs 180 /hr	180.00
02/01/99 JRF	Study affidavits Stratman challenges as being false or misleading;	.40 hrs 180 /hr	72.00
02/01/99 JRF	Telephone conference with counsel for Koniag re: analyzed opposition arguments to make in response to Stratman's brief, and discussed pertinent case authorities;	.40 hrs 180 /hr	72.00
02/01/99 JRF	Telephone conference with F. Feichtinger re: need a breakdown of which of the 42 persons whom we claim to have been on Woody Island for a period of time in 1970 were enrolled;	.10 hrs 180 /hr	18.00
02/01/99 JRF	Telephone conference with R. Mothershead re: issue of late enrollees;	.10 hrs 180 /hr	18.00
02/01/99 JRF	Receive and review memo from F. Feichtinger sorting the 43 1970 residents into categories of those who were enrolled and those who were not;	.10 hrs 180 /hr	18.00
02/01/99 JRF	Receive and review memo from R. Breckberg re: suggested arguments to raise;	.10 hrs 0 /hr	N/C
02/01/99 JRF	Draft additional section of Leisnoi's Answering Brief;	6.30 hrs 180 /hr	1,134.00
02/02/99 JRF	Study transcripts of depositions referenced by Stratman in his person-by-person analysis;	1.80 hrs 180 /hr	324.00
02/02/99 JRF	Analyze flaws in Stratman's legal arguments in his Opening Brief, and how best to explain and reveal the legal errors and incorrect conclusions;	.60 hrs 180 /hr	108.00

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INVOICE NO. 380-05535-012 JRF, INTERIM  
Leisnoi, Inc.

02/02/99 JRF	Draft additional sections of Leisnoi's Answering Brief that is due in less than one week;	6.00 hrs 180 /hr	1,080.00
02/03/99 JRF	Legal research re: recodification of the CFR regulations that had been in Title 25, and subsequent repeal of the recodified regulations;	1.00 hrs 180 /hr	180.00
02/03/99 JRF	Continue drafting arguments in favor of Woody Island's certification and responsive to the legal theories and factual analyses propounded by Stratman;	6.60 hrs 180 /hr	1,188.00
02/04/99 JRF	Study Stratman's Opening Brief and determine which arguments still need to be answered; Review transcripts to locate citations to testimony that negates some of Stratman's theories;	2.80 hrs 180 /hr	504.00
02/04/99 JRF	Draft more arguments negating Stratman's legal theories and demonstrating why Woody Island is a properly qualified Native Village that was occupied by at least 25 permanent residents in 1970 consistent with traditional Native lifestyles; Cross reference legal arguments with citations to evidence;	6.00 hrs 180 /hr	1,080.00
02/05/99 JRF	Reread some of the pertinent ANCAB decisions, and incorporate additional quotes into the brief;	1.60 hrs 180 /hr	288.00
02/05/99 JRF	Complete first draft of Leisnoi's 190 page Answering Brief;	7.00 hrs 180 /hr	1,260.00
02/06/99 JRF	Begin revising and editing the Answering Brief;	3.40 hrs 180 /hr	612.00
02/08/99 JRF	Reread transcripts of all ten days' testimony from the hearings, and marked portions of additional testimony to quote and cite in support of arguments raised in the Answering Brief;	2.90 hrs 180 /hr	522.00
02/08/99 JRF	Study deposition of record in the case and mark additional testimony therefrom to include in the brief;	1.60 hrs 180 /hr	288.00
02/08/99 JRF	Edit the Answering Brief;	3.30 hrs 180 /hr	594.00
02/08/99 JRF	Made final revisions and cite checks to the Answering Brief; Proofread the final version of the brief; Arrange for printing; Marshal new exhibits being introduced; Draft cover letter to Judge Sweitzer;	1.20 hrs 180 /hr	216.00
02/09/99 JRF	Telephone conference with C. Middleton re: discussed the various legal arguments Stratman raised in his Opening Brief, and content of Answering Briefs;	.30 hrs 180 /hr	54.00

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Leisnoi, Inc.

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02/09/99 JRF	Telephone conference with Brennan Caine re: he has already obtained a copy of Stratman's Answering Brief, and advises that it is not nearly as formidable as his Opening Brief;	.20 hrs 180 /hr	36.00
02/09/99 JRF	Organize evidence and legal research results to be prepared for next round of briefing;	1.00 hrs 180 /hr	180.00
02/09/99 JRF	Receive 193-page Opening Brief back from printer, and check it to determine if there is any need to file any type of errata;	.60 hrs 180 /hr	108.00
02/18/99 JRF	Receive and study Stratman's Answering Brief; Formulate initial strategy for responding thereto; Assess preliminary weaknesses in his arguments; Determine areas of research needed to rebut some of his analyses;	3.50 hrs 180 /hr	630.00
02/18/99 JRF	Receive and study Answering Brief of Koniag; Note useful arguments that can be expanded upon in the next round of briefing;	1.80 hrs 180 /hr	324.00
02/18/99 JRF	Telephone conference with Brennan Cain re: preliminary ruminations on Stratman's answering brief, and strategy for responding thereto;	.30 hrs 180 /hr	54.00
02/19/99 JRF	Legal research and analysis re: possible basis for dismissal of Stratman's Answering Brief; Draft motion to strike Stratman's answering brief, and memorandum in support; Draft affidavit in support; Marshal exhibits in support of motion to strike;	2.20 hrs 180 /hr	396.00
02/20/99 JRF	Legal research and analysis re: Public Law 96-487 and its impact upon Leisnoi's certification;	2.50 hrs 180 /hr	450.00
02/22/99 JRF	Telephone conference with R. Mothershead at Regional Solicitor's Office re: discussed strategy for responding to Stratman's latest brief, and the ANILCA issue, standing issue, and burden of proof issue;	.40 hrs 180 /hr	72.00
02/22/99 JRF	Revise, edit, and finalize Motion to Strike Stratman's brief, Memorandum in Support, and Affidavit in support;	.50 hrs 180 /hr	90.00
02/22/99 JRF	Receive and review return on certified mail service;	.10 hrs 180 /hr	N/C
02/24/99 JRF	Perform statutory analysis of ANILCA, and compare Stratman's arguments with the text and statutory definitions;	2.40 hrs 180 /hr	432.00



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Leisnoi, Inc.

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02/25/99 JRF	Lengthy telephone conference with Brennan Cain re: Stratman's section by section analysis of ANILCA, and structuring arguments responsive thereto;	.50 hrs 180 /hr	90.00
02/25/99 JRF	Begin drafting Leisnoi's Reply Brief;	5.50 hrs 180 /hr	990.00
02/25/99 JRF	Review portions of transcripts;	.30 hrs 180 /hr	54.00
02/26/99 JRF	Receive and study memo from R. Breckberg re: suggested arguments to include in the final brief to be filed before Judge Sweitzer;	.10 hrs 0 /hr	N/C
02/26/99 JRF	Work on Leisnoi's Reply Brief;	4.80 hrs 180 /hr	864.00
02/26/99 JRF	Receive and review letter of 2/26/99 from Mike Schneider re: he will oppose motion to strike;	.10 hrs 180 /hr	18.00
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FOR PROFESSIONAL SERVICES			\$14,598.00

## ITEMIZED EXPENSES:

Computer Research Expense - Westlaw 2/03/99	258.83
Computer Research Expense - Westlaw 2/18/99	146.35
Outside Office Copying	
Choice Copy Service	291.49
Computer Research Expense - Westlaw 2/19/99	130.82
Long Distance Telephone Calls	17.94
Photocopies - 58 copies @ 0.10	5.80
Postage	22.16
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TOTAL ITEMIZED EXPENSES	\$ 873.39

## BILLING SUMMARY

John R. Fitzgerald	81.20 hrs 180 /hr	\$ 14,598.00
John R. Fitzgerald	.20 hrs 0 /hr	N/C
		-----
TOTAL FEES		\$ 14,598.00
TOTAL DISBURSEMENTS		873.39
		-----
TOTAL DUE		\$ 15,471.39
		=====

TAX ID NO. 72-0871563

# McALPINE, PEULER & COZAD

A PROFESSIONAL LAW CORPORATION

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4900 WOODWAY • SUITE 550  
HOUSTON, TEXAS 77056  
TELEPHONE: (713) 629-1212  
FACSIMILE: (713) 629-1441

May 7, 1999

Billed through 03/31/99

INVOICE NO. 0380-05535-013 JRF, INTERIM

Leisnoi, Inc.  
4300 B Street  
Suite 207  
Anchorage, AK 99503

IBLA

## FOR PROFESSIONAL SERVICES RENDERED

03/01/99 JRF	Work on Leisnoi's Reply Brief;	1.00 hrs	180 /hr	180.00
03/02/99 JRF	Receive and review letter from M. Schneider re: Karl Armstrong deposition; Telephone conference with F. Feichtinger re: exhibits to the Karl Armstrong deposition; Telephone conference with Brennan Cain re: why Schneider would want to stipulate to admissibility of the Karl Armstrong deposition; Receive and review the exhibits to the Karl Armstrong deposition; Analyze whether any of the exhibits are detrimental to Leisnoi's legal interests; Execute stipulation regarding the admissibility of the Karl Armstrong deposition, along with the exhibits thereto;	.80 hrs	180 /hr	144.00
03/02/99 JRF	Review Judge Sweitzer's Order denying Stratman's motion to compel; Analyze possible usefulness in connection with final round of briefing;	.20 hrs	180 /hr	36.00
03/02/99 JRF	Research issue of additional conveyances being required under ANCSA if Leisnoi were to be decertified, and formulate argument that Stratman's interpretation of ANILCA is therefore fundamentally flawed; Review arguments advanced by the federal government in one of the appeals to the Ninth Circuit and analyze how the argument can be incorporated into Leisnoi's reply brief before Judge Sweitzer;	1.50 hrs	180 /hr	270.00
03/03/99 JRF	Legal research re: cases relied upon by Omar Stratman in his Answering Brief;	2.50 hrs	180 /hr	450.00

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Leisnoi, Inc.  
 INVOICE NO. 0380-05535-013 JRF, INTERIM

03/03/99 JRF	Legal research re: principles of statutory construction;	1.30 hrs 180 /hr	234.00
03/03/99 JRF	Draft additional sections of Leisnoi's Answering Brief;	3.30 hrs 180 /hr	594.00
03/03/99 JRF	Telephone conference with R. Breckberg re: responding to Stratman's arguments;	.20 hrs 0 /hr	N/C
03/04/99 JRF	Legal research re: interpretation of ANILCA;	2.00 hrs 180 /hr	360.00
03/04/99 JRF	Travel to law library; Conduct legal research and located a number of U.S. Supreme Court, Ninth Circuit, and Alaska Supreme Court cases that are helpful to Leisnoi's position; Return to office;	2.90 hrs 180 /hr	522.00
03/04/99 JRF	Work on Reply Brief;	1.50 hrs 180 /hr	270.00
03/05/99 JRF	Research administrative finality issue that Stratman has challenged in his brief;	1.70 hrs 180 /hr	306.00
03/05/99 JRF	Perform research regarding the administrative standing doctrine challenged by Stratman in his brief;	1.30 hrs 180 /hr	234.00
03/05/99 JRF	Draft portion of brief addressing principles of statutory construction, and how those principles apply to the Alaska National Interest Lands Conservation Act provisions that defines Leisnoi as a Koniag Deficiency Village Corporation;	4.00 hrs 180 /hr	720.00
03/05/99 JRF	Telephone conference with R. Mothershead re: urged the BIA to file a brief joining in Leisnoi's analysis of ANILCA, and also discussed other issues raised in Stratman's most recent brief;	.30 hrs 180 /hr	54.00
03/06/99 JRF	Begin editing portions of brief already drafted;	2.30 hrs 180 /hr	414.00
03/08/99 JRF	Draft portion of Reply Brief arguing that Stratman's challenge should be dismissed for lack of administrative standing;	3.20 hrs 180 /hr	576.00
03/08/99 JRF	Research and analysis re: rule of law set forth in IBLA's Village of Naknek case, and how it might be used to obtain dismissal of Stratman's challenge to Leisnoi's certification; Review other IBLA cases citing the principle, and tried to locate one that is factually similar to situation presented herein;	2.80 hrs 180 /hr	504.00
03/08/99 JRF	Telephone conference with Brennan Cain re: administrative standing issue, and legislative history issue;	.20 hrs 180 /hr	36.00

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Leisnoi, Inc.

INVOICE NO. 0380-05535-013 JRF, INTERIM

03/09/99 JRF	Legal research and analysis re: concurring opinion of Judge Bazelon in the Koniag v. Andrus case, and how that opinion supports Leisnoi's argument that 43 CFR section 4.902 should be applied in this village eligibility challenge; Review other cases citing to the concurring opinion;	2.00 hrs 180 /hr	360.00
03/09/99 JRF	Research and analysis re: use of collateral estoppel and/or res judicata as a basis for dismissal of Stratman's present challenge;	2.30 hrs 180 /hr	414.00
03/09/99 JRF	Draft additional portions of the Reply Brief;	3.50 hrs 180 /hr	630.00
03/09/99 JRF	Receive and review Judge Sweitzer's order denying Leisnoi's motion to strike;	.10 hrs 180 /hr	18.00
03/09/99 JRF	Receive and review M. Schneider's letter of March 5th to Judge Sweitzer;	.10 hrs 180 /hr	18.00
03/10/99 JRF	Work on Reply Brief;	4.70 hrs 180 /hr	846.00
03/11/99 JRF	Edit portions of the rough draft of Leisnoi's Reply Brief;	1.50 hrs 180 /hr	270.00
03/15/99 JRF	Draft collateral estoppel arguments in the Reply Brief;	2.00 hrs 180 /hr	360.00
03/15/99 JRF	Legal research re: Tribal Self-Governance Act; Research CFR regulations implementing that Act; Research time limits for objecting to the inclusion of Leisnoi, as a recognized tribe; Formulate argument that Leisnoi's inclusion in the list of recognized tribes constitutes another governmental recognition of Woody Island as a Native village;	2.20 hrs 180 /hr	396.00
03/15/99 JRF	Draft additional sections of the Reply Brief;	3.80 hrs 180 /hr	684.00
03/16/99 JRF	Receive and review letter from Chris Wooley to Senator Murkowski, and analyze possible inclusion of some of the language in the Reply Brief;	.10 hrs 180 /hr	18.00
03/16/99 JRF	Legal research re: legislative history to recent amendments to the Indian Self-Determination and Education Assistance Act; Study definitions applicable to that Act, and analyzed helpfulness of the definition of "Indian tribe" at 25 USC section 450b as including "any Alaska Native village or regional or village corporation as defined in...ANCSA"; Formulate argument that since Indian tribes are defined as including Alaska Native villages as defined in ANCSA, and Woody Island is on the list of approved tribes, therefore Woody Island is an Alaska Native		

Leisnoi, Inc.

INVOICE NO. 0380-05535-013 JRF, INTERIM

	Village as defined in ANCSA; Work on the Reply Brief;	5.30 hrs 180 /hr	954.00
03/17/99 JRF	Work on Reply Brief; edit existing portions, delete some excess verbiage, rearrange order of some sections, and add additional arguments, citations and discussion of Federal Register;	5.40 hrs 180 /hr	972.00
03/19/99 JRF	Work on Reply Brief that is due next week;	3.00 hrs 180 /hr	540.00
03/22/99 JRF	Complete first draft of Leisnoi's Reply Brief;	3.50 hrs 180 /hr	630.00
03/23/99 JRF	Study Stratman's Opening and Answering Briefs in order to determine whether there are any more arguments against Woody Island's certification that need to be negated;	1.60 hrs 180 /hr	288.00
03/23/99 JRF	Revise and edit the Reply Brief;	4.00 hrs 180 /hr	720.00
03/25/99 JRF	Receive and review Judge Sweitzer's order allowing the filing of Karl Armstrong's deposition;	.10 hrs 0 /hr	N/C
03/25/99 JRF	Telephone conference with Chris Wooley re: using his anthropological analysis in the final brief to be filed tomorrow, and discussed status of the case and efforts to obtain Congressional recertification;	.20 hrs 180 /hr	36.00
03/25/99 JRF	Lengthy telephone conference with Brennan Cain re: discussed legal arguments and different theories being advanced in Leisnoi's and Koniag's final set of briefing before Judge Sweitzer; Analyzed whether to incorporate some of Koniag's theories into Leisnoi's brief, or to have each party address separate issues;	.40 hrs 180 /hr	72.00
03/25/99 JRF	Telephone conference with Frank Feichtinger re: final set of issues being briefed;	.20 hrs 180 /hr	36.00
03/25/99 JRF	Made revisions and changes to the Reply Brief due tomorrow;	6.20 hrs 180 /hr	1,116.00
03/25/99 JRF	Conference with representative of Choice Printing re: arranged for printing and binding the brief;	.10 hrs 0 /hr	N/C
03/26/99 JRF	Telephone conference with counsel for Koniag re: the effect of Congress not having adopted the 1995 recertification bill;	.20 hrs 180 /hr	36.00
03/26/99 JRF	Made final set of revisions to Leisnoi's Reply Brief, proofread final version, and send it to the printer for copying and binding;	2.90 hrs 180 /hr	522.00
03/26/99 JRF	Draft letter to Judge Sweitzer re: Leisnoi's Reply Brief;	.10 hrs 0 /hr	N/C

PAGE 5

Leisnoi, Inc.

INVOICE NO. 0380-05535-013 JRF, INTERIM

03/29/99 JRF	Draft status report;	.50 hrs	180 /hr	90.00
03/30/99 JRF	Receive and study Stratman's Reply Brief; analyze weaknesses in his arguments;	1.60 hrs	180 /hr	288.00
03/30/99 JRF	Receive and study Koniag's Reply Brief;	1.20 hrs	180 /hr	216.00
03/30/99 JRF	Telephone conference with F. Feichtinger re: final briefs submitted to Judge Sweitzer;	.20 hrs	0 /hr	N/C
03/31/99 JRF	Telephone conference with Brennan Cain re: dissected and discussed the numerous arguments Stratman raised in his Reply Brief;	.50 hrs	180 /hr	90.00

FOR PROFESSIONAL SERVICES

\$ 16,524.00

## ITEMIZED EXPENSES:

Computer Research Expense - Westlaw 3/02/99	\$	128.77
Computer Research Expense - Westlaw 3/03/99		1.74
Computer Research Expense - Westlaw 3/08/99		432.42
Computer Research Expense - Westlaw 3/25/99		291.57
Computer Research Expense - Westlaw 3/16/99		151.82
Outgoing Facsimile Charges - 25 pages @ 0.25		6.25
Long Distance Telephone Calls		87.69
Photocopies - 114 copies @ 0.10		11.40
Postage		25.90
TOTAL ITEMIZED EXPENSES	\$	1,137.56

## BILLING SUMMARY

John R. Fitzgerald	91.80 hrs	180 /hr	\$ 16,524.00
John R. Fitzgerald	.70 hrs	0 /hr	N/C
TOTAL FEES			\$ 16,524.00
TOTAL DISBURSEMENTS			1,137.56
TOTAL DUE			\$ 17,661.56

TAX ID NO. 72-0871563

**McALPINE, PEULER & COZAD**

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**HOUSTON OFFICE**

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June 7, 1999

Billed through 04/30/99

INVOICE NO. 0380-05535-015 JRF, INTERIM

Leisnoi, Inc.  
4300 B Street  
Suite 207  
Anchorage, AK 99503

IBLA

FOR PROFESSIONAL SERVICES RENDERED

04/01/99 JRF	Receive and review joinder by the BIA in Leisnoi's arguments on the ANILCA ratification issue;	.10 hrs 180 /hr	18.00
04/01/99 JRF	Receive and review letter from M. Schneider to Judge Sweitzer with enclosed missing page from his brief;	.10 hrs 180 /hr	18.00
04/12/99 JRF	Receive and review errata filed by Bob Mothershead;	.10 hrs 180 /hr	18.00
04/20/99 JRF	Receive and review Schneider's letter to D. Baumeister re: Termination Point;	.10 hrs 180 /hr	18.00
04/21/99 JRF	Telephone conference with Collin Middleton re: discussed Stratman's reply brief, and the strengths of the ANILCA argument propounded by Leisnoi and Koniag, as well as the Act of God exception;	.30 hrs 180 /hr	54.00
04/27/99 JRF	Telephone conference with F. Feichtinger re: strength of the briefing on the Act of God exception and on the ANILCA ratification issue, and testimony given in support of statutory compliance, and discussed how and when Judge Sweitzer may rule;	.30 hrs 180 /hr	54.00

FOR PROFESSIONAL SERVICES

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\$ 180.00

PAGE 2

Leisnoi, Inc.

INVOICE NO. 0380-05535-015 JRF

## ITEMIZED EXPENSES:

Courier Service/Express Mail	
FedEx	\$ 20.92
Courier Service/Express Mail	
FedEx	16.38
Courier Service/Express Mail	
FedEx	16.38
Courier Service/Express Mail	
FedEx	16.38
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TOTAL ITEMIZED EXPENSES	\$ 70.06

## BILLING SUMMARY

John R. Fitzgerald	1.00 hrs 180 /hr	\$ 180.00
		-----
TOTAL FEES		\$ 180.00
		-----
TOTAL DISBURSEMENTS		\$ 70.06
		-----
TOTAL DUE		\$ 250.06
		=====

WHEN HONORING THIS INVOICE, PLEASE INDICATE NO. 0380-05535-015 JRF ON YOUR CHECK OR DRAFT.

TAX ID NO. 72-0871563



July 30, 1999

Billed through 06/30/99

INVOICE NO. 0380-05535-016 JRF, INTERIM

Leisnoi, Inc.  
 4300 B Street  
 Suite 207  
 Anchorage, AK 99503

IBLA

## FOR PROFESSIONAL SERVICES RENDERED

06/28/99 JRF	Telephone conference with Ed Ward re: when Judge Sweitzer may rule;	.10 hrs 180 /hr	N/C
06/28/99 JRF	Telephone conference with Judge Sweitzer's legal assistant re: opinion is in progress and expected within the next 60 days;	.20 hrs 180 /hr	36.00
06/28/99 JRF	Draft letter to Ed Ward re: discussion with Judge Sweitzer's legal assistant, and expected date by which the judge will rule;	.30 hrs 180 /hr	54.00

FOR PROFESSIONAL SERVICES

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\$ 90.00

## ITEMIZED EXPENSES:

Outgoing Facsimile Charges	.50
Long Distance Telephone Calls	.80
Postage	.33

TOTAL ITEMIZED EXPENSES

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\$ 1.63

## BILLING SUMMARY

John R. Fitzgerald	.60 hrs 180 /hr	90.00
TOTAL FEES		----- \$ 90.00
TOTAL DISBURSEMENTS		\$ 1.63
TOTAL DUE		----- \$ 91.63 =====

**McALPINE, PEULER & COZAD**

A PROFESSIONAL LAW CORPORATION

701 SOUTH PETERS STREET • SUITE 300

NEW ORLEANS, LA 70130

TELEPHONE (504) 561-0323

FAX (504) 528-9442

**HOUSTON OFFICE**

4900 WOODWAY • SUITE 550

HOUSTON, TEXAS 77056

TELEPHONE: (713) 629-1212

FACSIMILE: (713) 629-1441

August 20, 1999

Billed through 07/31/99

INVOICE NO. 0380-05535-017 JRF, INTERIM

Leisnoi, Inc.  
4300 B Street  
Suite 207  
Anchorage, AK 99503

IBLA

FOR PROFESSIONAL SERVICES RENDERED

07/14/99 JRF	Telephone conference with Collin Middleton re: procedures for when Judge Sweitzer issues his recommended decision, time limits for filing objections, and discussed the ANILCA defense;	.20 hrs 180 /hr	36.00
07/16/99 JRF	Legal research re: procedures that will come into play once Judge Sweitzer issues a recommended decision;	.50 hrs 180 /hr	90.00
07/16/99 JRF	Review the briefs to get back up to speed on the legal issues upon which recommended decision is expected within the next 45 days;	2.20 hrs 180 /hr	396.00
07/16/99 JRF	Telephone conference with R. Mothershead re: anticipated ruling from Judge Sweitzer, and procedures and deadlines that will then be triggered;	.20 hrs 180 /hr	36.00
07/22/99 JRF	Review the IBLA's order of remand to Judge Sweitzer;	.10 hrs 180 /hr	18.00
07/22/99 JRF	Telephone conference with Frank Feichtinger re: may need Ed Ward's approval to have Frank prepare an index of record on appeal once clerk completes Bates stamping it, and also discussed upcoming expected ruling in the IBLA case;	.20 hrs 180 /hr	N/C
07/29/99 JRF	Draft proposed stipulation and order re: briefing schedule for responses to forthcoming recommended decision by Judge Sweitzer;	.40 hrs 180 /hr	72.00
07/29/99 JRF	Draft letter to counsel explaining the proposal for briefing schedule;	.20 hrs 180 /hr	36.00
07/29/99 JRF	Telephone conference with Ed Ward re: anticipating a ruling by Judge Sweitzer;	.10 hrs 180 /hr	N/C

FOR PROFESSIONAL SERVICES

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\$ 684.00

PAGE 2

Leisnoi, Inc.

INVOICE NO. 0380-05535-017 JRF

## ITEMIZED EXPENSES:

Long Distance Telephone Calls	5.64
Photocopies	2.10
Postage	1.65

TOTAL ITEMIZED EXPENSES	\$ 9.39
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## BILLING SUMMARY

John R. Fitzgerald	4.10 hrs	180 /hr	684.00
John R. Fitzgerald	0.30 hrs	N /C	.00

TOTAL FEES	\$ 684.00
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TOTAL DISBURSEMENTS	\$ 9.39
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TOTAL DUE	\$ 693.39
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WHEN HONORING THIS INVOICE, PLEASE INDICATE NO. 0380-05535-017 JRF ON YOUR CHECK OR DRAFT.

TAX ID NO. 72-0871563

# McALPINE, PEULER & COZAD

A PROFESSIONAL LAW CORPORATION

701 SOUTH PETERS STREET - SUITE 300

NEW ORLEANS, LA 70130

TELEPHONE (504) 561-0323

FAX (504) 528-9442

## HOUSTON OFFICE

4900 WOODWAY • SUITE 550

HOUSTON, TEXAS 77056

TELEPHONE: (713) 629-1212

FACSIMILE: (713) 629-1441

September 22, 1999

Billed through 08/31/99

INVOICE NO. 0380-05535-018 JRF, INTERIM

Leisnoi, Inc.  
4300 B Street  
Suite 207  
Anchorage, AK 99503

IBLA

FOR PROFESSIONAL SERVICES RENDERED

08/11/99 JRF	Telephone conference with Collin Middleton re: Mike Schneider refuses to sign stipulation on the briefing deadline for objections to forthcoming ruling by Judge Sweitzer, and discussed status of quiet title case as well;	.20 hrs 180 /hr	36.00
08/16/99 JRF	Draft motion and memorandum in support with the Interior Board of Land Appeals in Virginia seeking to modify the briefing schedule in which to respond to the forthcoming recommended decision of Judge Sweitzer;	.80 hrs 180 /hr	144.00
08/16/99 JRF	Receive and review letter from R. Mothershead re: moving to modify briefing schedule for when case goes to the IBLA in Virginia;	.10 hrs 180 /hr	18.00
08/17/99 JRF	Receive and review letter from Collin Middleton re: the time in which to object to Judge Sweitzer's forthcoming opinion;	.10 hrs 180 /hr	18.00
08/19/99 JRF	Telephone conference with R. Mothershead re: possible petition for certiorari in the quiet title case, and recent correspondence from Schneider in the IBLA case;	.30 hrs 180 /hr	54.00
08/23/99 JRF	Receive and review letter of August 18th from Mike Schneider;	.10 hrs 180 /hr	18.00
08/27/99 JRF	Receive and review Koniag's joinder in Leisnoi's motion to set briefing schedule for objections to forthcoming recommended decision of Judge Sweitzer;	.10 hrs 180 /hr	18.00
08/30/99 JRF	Receive and review Stratman's opposition to motion re: time in which to object to forthcoming recommended decision of Judge Sweitzer;	.10 hrs 180 /hr	18.00

PAGE 2

Leisnoi, Inc.

INVOICE NO. 0380-05535-018 JRF

08/30/99 JRF Receive notice from IBLA in Virginia re: motion  
to set time limit in which to object to  
forthcoming recommended decision is being sent  
for ruling to Judge Sweitzer; .10 hrs 180 /hr 18.00

FOR PROFESSIONAL SERVICES

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\$ 342.00

## ITEMIZED EXPENSES:

Computer Research Expense - Westlaw - 7/16/99	50.54
Long Distance Telephone Calls	2.15
Photocopies	3.70
Postage	16.44

TOTAL ITEMIZED EXPENSES

-----  
\$ 72.83

## BILLING SUMMARY

John R. Fitzgerald	1.90 hrs 180 /hr	342.00
TOTAL FEES		----- \$ 342.00
TOTAL DISBURSEMENTS		\$ 72.83
TOTAL DUE		----- \$ 414.83

## McALPINE, PEULER &amp; COZAD

A PROFESSIONAL LAW CORPORATION

701 SOUTH PETERS STREET • SUITE 300

NEW ORLEANS, LA 70130

TELEPHONE (504) 561-0323

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## HOUSTON OFFICE

4900 WOODWAY • SUITE 550

HOUSTON, TEXAS 77056

TELEPHONE: (713) 629-1212

FACSIMILE: (713) 629-1441

October 20, 1999

Billed through 09/30/99

INVOICE NO. 0380-05535-019 JRF, INTERIM

Leisnoi, Inc.  
4300 B Street  
Suite 207  
Anchorage, AK 99503

IBLA

## FOR PROFESSIONAL SERVICES RENDERED

09/01/99 JRF	Receive and review joinder of the Department of the Interior in Leisnoi's motion to set a 90-day time limit in which to object to the forthcoming recommended decision of Judge Sweitzer;	.10 hrs 180 /hr	18.00
09/29/99 JRF	Telephone conference with Ed Ward re: anticipated date of ruling by Administrative Law Judge Sweitzer;	.10 hrs 180 /hr	N/C

FOR PROFESSIONAL SERVICES	\$ 18.00
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## ITEMIZED EXPENSES:

Long Distance Telephone Calls	5.63
Outside Telephone Expenses	5.68

TOTAL ITEMIZED EXPENSES	\$ 11.31
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## BILLING SUMMARY

John R. Fitzgerald	.20 hrs 180 /hr	18.00
John R. Fitzgerald	.10 hrs N /C	.00
TOTAL FEES		\$ 18.00
TOTAL DISBURSEMENTS		\$ 11.31
TOTAL DUE		\$ 29.31

## McALPINE, PEULER &amp; COZAD

A PROFESSIONAL LAW CORPORATION

701 SOUTH PETERS STREET - SUITE 300

NEW ORLEANS, LA 70130

TELEPHONE (504) 561-0323

FAX (504) 528-9442

## HOUSTON OFFICE

4900 WOODWAY • SUITE 550

HOUSTON, TEXAS 77056

TELEPHONE: (713) 629-1212

FACSIMILE: (713) 629-1441

December 21, 1999

Billed through 10/31/99

INVOICE NO. 0380-05535-020 JRF, INTERIM

Leisnoi, Inc.  
4220 B Street  
Suite 207  
Anchorage, AK 99503

IBLA

FOR PROFESSIONAL SERVICES RENDERED

10/27/79 JRF	Telephone conversation with Ed Ward re: proceeding forward with objections to Judge Sweitzer's recommendation unless Board of Directors instructs otherwise;	.20 hrs 180 /hr	N/C
10/20/99 JRF	Telephone conference with Brennan Cain re; discussed content of recommended decision;	.40 hrs 180 /hr	72.00 ✓
10/20/99 JRF	Telephone conversation with Ed Baumeister and Ed Ward re: discussed course of action for responding to recommended decision;	.40 hrs 180 /hr	72.00 ✓
10/21/99 JRF	Receive and study recommended decision, and assess weaknesses in judge's analysis;	3.50 hrs 180 /hr	630.00 ✓
10/21/99 JRF	Formulate legal strategy for responding to recommended decision;	2.40 hrs 180 /hr	432.00 ✓
10/21/99 JRF	Draft press release;	2.00 hrs 180 /hr	360.00 ✓
10/21/99 JRF	Telephone conversation with Ed Ward re: press release;	.20 hrs 180 /hr	36.00 ✓
10/21/99 JRF	Receive and review articles about the recommended decision;	.20 hrs 180 /hr	N/C
10/21/99 JRF	Telephone conversation with Bob Mothershead re: Bureau of Indian Affairs agrees to join in an objection to the recommended decision, and discussed possible avenues of attack;	.40 hrs 180 /hr	72.00 ✓
10/26/99 JRF	Receive and study Koniag's motion for expedited consideration;	.20 hrs 180 /hr	36.00 ✓
10/26/99 JRF	Receive and review Koniag's motion for extension of briefing schedule;	.10 hrs 180 /hr	18.00 ✓
10/26/99 JRF	Receive and review letter from J. Sweitzer to IBLA re: time in which to lodge objections to rulings;	.10 hrs 180 /hr	18.00 ✓

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Leisnoi, Inc.  
INVOICE NO.

0380-05535-020 JRF

10/29/99 JRF	Receive and study Stratman's opposition to motion to extend briefing schedule;	.20 hrs 180 /hr	36.00
10/30/99 JRF	Draft reply to Stratman's opposition to motion to set a 90-day briefing schedule;	.50 hrs 180 /hr	90.00

FOR PROFESSIONAL SERVICES

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\$ 1,872.00

## ITEMIZED EXPENSES:

Long Distance Telephone Calls	9.05
Photocopies	31.80

TOTAL ITEMIZED EXPENSES

-----  
\$ 40.85

## BILLING SUMMARY

John R. Fitzgerald	10.80 hrs 180 /hr	1,872.00
TOTAL FEES		----- \$ 1,872.00
TOTAL DISBURSEMENTS		\$ 40.85
TOTAL DUE		----- <u>\$ 1,912.85</u>



March 10, 2000

Billed through 12/31/99

INVOICE NO. 0380-05535-027 JRF, INTERIM

Leisnoi, Inc.  
 4220 B Street  
 Suite 207  
 Anchorage, AK 99503

IBLA

## FOR PROFESSIONAL SERVICES RENDERED

11/01/99 JRF	Finalize reply to opposition to motion to set 90 day briefing schedule;	.20 hrs 180 /hr	36.00 ✓
11/03/99 JRF	Work on objections to Judge Sweitzer's recommended decision;	6.30 hrs 180 /hr	1,134.00 ✓
11/04/99 JRF	Study some of the case authority upon which Judge Sweitzer has attempted to rely in his recommended decision;	2.00 hrs 180 /hr	360.00 ✓
11/04/99 JRF	Research collateral estoppel issue to try to get around cases relied upon by Judge Sweitzer;	2.80 hrs 180 /hr	504.00 ✓
11/04/99 JRF	Work on objections to recommended decision;	4.10 hrs 180 /hr	738.00 ✓
11/05/99 JRF	Telephone conference with Collin Middleton re: strategy for responding to recommended decision;	.50 hrs 180 /hr	90.00 ✓
11/05/99 JRF	Study ANCAB rulings as well as recommended decisions in Kasaan, Chitina, Alexander Creek, and Uyak;	1.80 hrs 180 /hr	324.00 ✓
11/05/99 JRF	Work on Objections to Recommended Decision;	5.80 hrs 180 /hr	1,044.00 ✓
11/08/99 JRF	Telephone conference with F. Feichtinger re: Judge Sweitzer's flawed findings of fact;	.20 hrs 180 /hr	36.00 ✓
11/10/99 JRF	Receive and review order granting Leisnoi's motion for extension of time in which to object to Judge Sweitzer's recommended decision;	.10 hrs 180 /hr	18.00 ✓
11/10/99 JRF	Receive and review Judge Sweitzer's letter of November 5th to BIA Assistant Regional Solicitor;	.10 hrs 180 /hr	18.00 ✓
11/12/99 JRF	Lengthy telephone call with R. Mothershead re: strategy for challenging Judge Sweitzer's recommended decision;	.50 hrs 180 /hr	90.00 ✓

PAGE 2

Leisnoi, Inc.

INVOICE NO. 0380-05535-027 JRF

11/12/99 JRF	Legal research re: ability of Leisnoi to seek review by the Secretary of the Interior even if the IBLA adopts Judge Sweitzer's recommendations;	.50 hrs 180 /hr	90.00 ✓
11/12/99 JRF	Legal research and analysis re: inability of Dept. of Interior to take a recognized tribe off its list of approved tribes without an Act of Congress;	1.30 hrs 180 /hr	234.00 ✓
11/12/99 JRF	Receive and review Bob Mothershead's November 9th letter to Judge Sweitzer;	.10 hrs 180 /hr	18.00 ✓
11/15/99 JRF	Legal research re: Federally Recognized Tribe List Act of 1994 and its legislative history;	1.50 hrs 180 /hr	270.00 ✓
11/15/99 JRF	Legal Research re: Alaska Supreme Court's interpretation of the Federally Recognized Tribe List Act of 1994 in its Katie v. John 1999 decision, and assessed how to use that analysis to Leisnoi's advantage;	.60 hrs 180 /hr	108.00 ✓
11/15/99 JRF	Legal research re: whether the definition of "Indian tribe" in the Indian Welfare Act can be used in the list of approved tribes, or whether the more restrictive definition from the Federally Recognized Tribe List Act of 1994 would be utilized;	.50 hrs 180 /hr	90.00 ✓
11/15/99 JRF	Work on objections to Judge Sweitzer's recommended decision;	3.30 hrs 180 /hr	594.00 ✓
11/15/99 JRF	Receive and review Journal of Commerce article about Judge Sweitzer's recommended decision;	.10 hrs 180 /hr	18.00 ✓
11/19/99 JRF	Telephone conference with Ed Ward re: Indian Tribe List Act of 1994 and efforts to utilize same in preventing IBLA from decertifying the Native village of Woody island;	.20 hrs 180 /hr	36.00 ✓
12/13/99 JRF	Telephone conference with B. Cain re: strategy for objecting to recommended decision, and discussed impact of stay order in the FED case, and strategy for federal quiet title proceedings;	.30 hrs 180 /hr	54.00 ✓

FOR PROFESSIONAL SERVICES

\$ 5,904.00

## ITEMIZED EXPENSES:

Computer Research Expense - Westlaw - 11/04/99	54.83
Computer Research Expense - Westlaw - 11/12/99	284.52
Computer Research Expense - Westlaw - 11/15/99	104.59
Long Distance Telephone Calls	18.23
Photocopies	2.90
Postage	12.91

TOTAL ITEMIZED EXPENSES

\$ 477.98 ✓

6293 94  
 NOV = 5850.00 + 477.98  
 DEC = 5470.88.04

PAGE 3

Leisnoi, Inc.

INVOICE NO. 0380-05535-027 JRF

BILLING SUMMARY

John R. Fitzgerald	32.80 hrs	180 /hr	5,904.00
			-----
TOTAL FEES		\$	5,904.00
TOTAL DISBURSEMENTS		\$	477.98
			-----
TOTAL DUE		\$	<u>6,381.98</u> ✓

WHEN HONORING THIS INVOICE, PLEASE INDICATE NO. 0380-05535-027 JRF ON YOUR CHECK OR DRAFT.

TAX ID NO. 72-0871563

## McALPINE, PEULER &amp; COZAD

A PROFESSIONAL LAW CORPORATION

701 SOUTH PETERS STREET - SUITE 300

NEW ORLEANS, LA 70130

TELEPHONE (504) 561-0323

FAX (504) 528-9442

## HOUSTON OFFICE

4900 WOODWAY • SUITE 550

HOUSTON, TEXAS 77056

TELEPHONE: (713) 629-1212

FACSIMILE: (713) 629-1441

May 5, 2000

Billed through 03/31/00

INVOICE NO. 0380-05535-029 JRF, INTERIM

Leisnoi, Inc.  
4220 B Street  
Suite 207  
Anchorage, AK 99503

IBLA

FOR PROFESSIONAL SERVICES RENDERED

01/03/00 JRF	Work on Objections to Judge Sweitzer's Recommended Decision;	2.60 hrs 180 /hr	468.00
01/04/00 JRF	Telephone conference with Collin Middleton re: strategies for briefs due at the end of this month;	.30 hrs 180 /hr	54.00
01/04/00 JRF	Review enrollment list;	.20 hrs 180 /hr	36.00
01/04/00 JRF	Work on objections to Judge Sweitzer's recommended decision;	7.40 hrs 180 /hr	1,332.00
01/04/00 JRF	Telephone conference with Frank Feichtinger re: factual question;	.10 hrs 180 /hr	18.00
01/04/00 JRF	Telephone conference with Carol Pagano re: enrollment list;	.20 hrs 180 /hr	N/C
01/04/00 JRF	Called R. Mothershead re: eligibility issue;	.10 hrs 180 /hr	18.00
01/05/00 JRF	Study Chris Wooley's archaeological report;	.70 hrs 180 /hr	126.00
01/05/00 JRF	Study deposition testimony of Karl Armstrong;	.80 hrs 180 /hr	144.00
01/05/00 JRF	Study deposition testimony of Mary Chya;	.60 hrs 180 /hr	108.00
01/05/00 JRF	Review transcript of interview of Edward Chya;	.30 hrs 180 /hr	54.00
01/05/00 JRF	Draft more sections of Objections to Judge Sweitzer's recommended decision;	6.50 hrs 180 /hr	1,170.00
01/06/00 JRF	Study testimony of Esther Denato;	.60 hrs 180 /hr	108.00
01/06/00 JRF	Study testimony of Bruce Robertson;	.60 hrs 180 /hr	108.00
01/06/00 JRF	Review ANCAB decision;	1.80 hrs 180 /hr	324.00
01/06/00 JRF	Draft additional portions of Objections to Judge Sweitzer's recommended decision;	5.80 hrs 180 /hr	1,044.00

Leisnoi, Inc.

INVOICE NO. 0380-05535-029 JRF

01/07/00 JRF	Study testimony and evidence pertaining to Ann Kerr Blinn;	.70 hrs 180 /hr	126.00
01/07/00 JRF	Study testimony of Edward Ward;	.70 hrs 180 /hr	126.00
01/07/00 JRF	Study testimony of George Hansen;	.30 hrs 180 /hr	54.00
01/07/00 JRF	Study Judge Sweitzer's opinion;	1.50 hrs 180 /hr	270.00
01/07/00 JRF	Lengthy telephone conversation with Brennan Kane re: coordinating defense strategies, splitting issues to reduce costs, burden of proof, standard of review, and discussion of the evidence;	.60 hrs 180 /hr	108.00
01/07/00 JRF	Draft additional portions of Leisnoi's Objections to Judge Sweitzer's recommended decision;	5.20 hrs 180 /hr	936.00
01/08/00 JRF	Study and contrast Shareholder List and Family List;	1.00 hrs 180 /hr	180.00
01/08/00 JRF	Study testimony of Judge Madsen;	.70 hrs 180 /hr	126.00
01/08/00 JRF	Work on Objections to Judge Sweitzer's recommended decision;	3.60 hrs 180 /hr	648.00
01/10/00 JRF	Study Joey Fadaoff's testimony, and analyze whether Leisnoi can claim Edson Fadaoff, Frank Pagano, Ellen Pagano, Charlotte Pagano, Michael Pagano, and Carole Pagano as having lived for a period of time on Woody Island in 1970;	1.00 hrs 180 /hr	180.00
01/10/00 JRF	Assess whether Judge Madsen's children can be added as 1970 residents, and analyze problem of their being on the family list but not on the enrollment list;	.40 hrs 180 /hr	72.00
01/10/00 JRF	Telephone conference with Frank Feichtinger re: efforts to beef up the list of people who actually visited Woody in 1970;	.20 hrs 180 /hr	36.00
01/10/00 JRF	Telephone conference with R. Mothershead re: conflicts between family list and enrollment list, whether the BIA will file a brief, issue of whether to request oral arguments, and procedure for seeking en banc consideration by the full IBLA;	.20 hrs 180 /hr	36.00
01/10/00 JRF	Two lengthy telephone conversations with Brennan Kain re: progress on the briefs, useful testimony, the list of enrollees who were on Woody in 1970, and strategy for attacking Judge Sweitzer's recommended decision;	.60 hrs 180 /hr	108.00
01/10/00 JRF	Draft additional portions of Objections to Judge Sweitzer's recommended decision;	6.20 hrs 180 /hr	1,116.00
01/11/00 JRF	Study evidence and testimony pertaining to Rudy Sundberg, Sr.;	.80 hrs 180 /hr	144.00

Leisnoi, Inc.

INVOICE NO. 0380-05535-029 JRF

01/11/00 JRF	Study evidence and testimony pertaining to Cecil Chabitnoy;	.80 hrs 180 /hr	144.00
01/11/00 JRF	Study evidence and testimony pertaining to Mitch Gregeroff;	.80 hrs 180 /hr	144.00
01/11/00 JRF	Study family trees;	.60 hrs 180 /hr	108.00
01/11/00 JRF	Draft additional portions of Objections to Judge Sweitzer's recommended decision;	5.90 hrs 180 /hr	1,062.00
01/12/00 JRF	Study several volumes of documentary evidence introduced at the hearings;	2.40 hrs 180 /hr	432.00
01/12/00 JRF	Study photographic evidence introduced at the hearings, and weave discussion of same into portions of brief describing individuals who were permanent residents of Woody Island;	1.60 hrs 180 /hr	288.00
01/13/00 JRF	Draft more sections of the Objections to Judge Sweitzer's recommended decision;	6.50 hrs 180 /hr	1,170.00
01/13/00 JRF	Review Yule Chaffin deposition;	.60 hrs 180 /hr	108.00
01/13/00 JRF	Study and assemble evidence establishing presence of Alexander John Fadaoff, Sr. and Nettie Ponchene Chiliak on Woody Island in 1970;	.60 hrs 180 /hr	108.00
01/13/00 JRF	Formulate strategy for responding to Administrative Law Judge's theory that there is no evidence of communal activities on Woody Island after World War II, and marshal evidence useful in rebutting this flawed contention;	1.20 hrs 180 /hr	216.00
01/14/00 JRF	Begin editing first 200 pages of the Objections to Judge Sweitzer's Recommended Decision;	4.50 hrs 180 /hr	810.00
01/14/00 JRF	Telephone conference with R. Mothershead re: problem with Natives listed on Family List but not Enrollment List;	.20 hrs 180 /hr	36.00
01/14/00 JRF	Telephone conversation with two BIA officials in Anchorage and Junea re: problem with certain qualifying Natives not appearing on the Enrollment List although they completed enrollment papers and are listed in the Family List;	.40 hrs 180 /hr	72.00
01/14/00 JRF	Study ANCAB decisions;	2.00 hrs 180 /hr	360.00
01/14/00 JRF	Review Judge Sweitzer's recommended decision;	.60 hrs 180 /hr	108.00
01/14/00 JRF	Add additional cites in the brief to evidence and to law;	1.20 hrs 180 /hr	216.00
01/15/00 JRF	Study transcripts of testimony presented at the hearings, and note pages containing information useful in establishing Leisnoi met the requirement of 25 permanent residents of the village of whom 13 lived on Woody Island for a period of time in 1970;	2.60 hrs 180 /hr	468.00

Leisnoi, Inc.

INVOICE NO. 0380-05535-029 JRF

01/15/00 JRF	Work on Objections to Administrative Law Judge Sweitzer's recommended decision;	4.60 hrs 180 /hr	828.00
01/17/00 JRF	Draft additional portions of the brief objecting to the Administrative Law Judge's recommended decision to decertify Leisnoi;	6.60 hrs 180 /hr	1,188.00
01/17/00 JRF	Edit and revise portions of the brief;	1.60 hrs 180 /hr	288.00
01/18/00 JRF	Draft more of the brief objecting to the Administrative Law Judge's recommended decision;	6.30 hrs 180 /hr	1,134.00
01/19/00 JRF	Study depositions introduced by Stratman at the hearings;	1.80 hrs 180 /hr	324.00
01/19/00 JRF	Review certain exhibits introduced by Leisnoi at the hearings;	.60 hrs 180 /hr	108.00
01/19/00 JRF	Work on objections to Administrative Law Judge Sweitzer's recommended decision;	5.60 hrs 180 /hr	1,008.00
01/20/00 JRF	Draft additional portions of objections to recommended decision of Administrative Law Judge Sweitzer;	5.00 hrs 180 /hr	900.00
01/21/00 JRF	Incorporate additional quotes from testimony at hearings into the objections to recommended decision;	2.30 hrs 180 /hr	414.00
01/21/00 JRF	Study briefs submitted by Koniag and assess portions of arguments that can be summarized into Leisnoi's brief;	.70 hrs 180 /hr	126.00
01/21/00 JRF	Work on objections to Administrative Law Judge Sweitzer's recommended decision;	5.30 hrs 180 /hr	954.00
01/22/00 JRF	Work on objections to Administrative Law Judge Sweitzer's recommended decision;	6.20 hrs 180 /hr	1,116.00
01/24/00 JRF	Complete first draft of Leisnoi's objections to Administrative Law Judge Sweitzer's recommended decision;	7.50 hrs 180 /hr	1,350.00
01/24/00 JRF	Telephone conference with Brennan Cain re: dividing up some issues to save both Koniag and Leisnoi some legal fees;	.20 hrs 180 /hr	36.00
01/25/00 JRF	Revise and edit objections to Administrative Law Judge Sweitzer's recommended decision;	5.40 hrs 180 /hr	972.00
01/25/00 JRF	Telephone conference with F. Feichtinger re: information on shareholders;	.20 hrs 180 /hr	36.00
01/26/00 JRF	Study genealogical charts and Native roll, then determine additional persons who can be claimed as permanent residents, and draft discussion of them in the brief;	2.60 hrs 180 /hr	468.00
01/26/00 JRF	Revise and edit the brief;	5.20 hrs 180 /hr	936.00

Leisnoi, Inc.

INVOICE NO.

0380-05535-029 JRF

01/26/00 JRF	Telephone conference with Brennan Cain re: arguments being made in Koniag's brief will complement, and not simply repeat, arguments being made in Leisnoi's brief, and discussed burden of proof issue and 1970 residents;	.40 hrs 180 /hr	72.00
01/27/00 JRF	Receive and review fax from Roy Jones with suggested revisions to the brief;	.30 hrs 180 /hr	54.00
01/27/00 JRF	Telephone conference with Carole Pagano re: plans for tonight's conference call with the Board;	.10 hrs 180 /hr	N/C
01/27/00 JRF	Revise and edit the brief;	5.40 hrs 180 /hr	972.00
01/28/00 JRF	Work on objections to Administrative Law Judge Sweitzer's recommended decertification decision;	7.00 hrs 180 /hr	1,260.00
01/28/00 JRF	Receive and study a number of proposed revisions suggested by Roy Jones;	.30 hrs 180 /hr	54.00
01/28/00 JRF	Incorporate into the brief many of the proposed revisions suggested by Roy Jones;	.70 hrs 180 /hr	126.00
01/29/00 JRF	Tighten up arguments in the brief, reword some sections, delete some superfluous or duplicate arguments, and study the third draft of the 290-page brief;	6.20 hrs 180 /hr	1,116.00
01/30/00 JRF	Revise and edit the brief due tomorrow;	5.60 hrs 180 /hr	1,008.00
01/31/00 JRF	Incorporate into brief some more modifications suggested by Roy Jones and Don Baumeister;	1.20 hrs 180 /hr	216.00
01/31/00 JRF	Revise and edit the brief due today;	4.40 hrs 180 /hr	792.00
01/31/00 JRF	Two telephone conferences with Roy Jones re: final preparations for the brief;	.30 hrs 180 /hr	54.00
01/31/00 JRF	Two telephone conferences with Brennan Cain re: last minute issues that came up when he was finalizing his brief;	.20 hrs 180 /hr	36.00
01/31/00 JRF	Finalize and proofread the brief;	1.50 hrs 180 /hr	270.00
01/31/00 JRF	Made final changes to index to ensure it correlates accurately to pages in the text;	.50 hrs 180 /hr	N/C
01/31/00 JRF	Draft cover letter to Interior Board of Land Appeals;	.20 hrs 180 /hr	N/C
01/31/00 JRF	Draft instructions to copy service re: collating, binding, etc.;	.20 hrs 180 /hr	N/C
01/31/00 JRF	Prepare certified mailing forms;	.20 hrs 180 /hr	N/C
02/01/00 JRF	Receive from printer and proof the bound version of the Objections to ALJ Sweitzer's Recommended Decision;	1.00 hrs 180 /hr	180.00
02/01/00 JRF	File organization and maintenance;	1.50 hrs 180 /hr	N/C
02/01/00 JRF	Draft status report;	.40 hrs 180 /hr	72.00



Leisnoi, Inc.

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02/01/00 JRF	Draft letters to F. Feichtinger and C. Wooley rw: Leisnoi's objections to ALJ Sweitzer's recommended decertification decision;	.40 hrs 180 /hr	N/C
02/02/00 JRF	Receive and study objections filed by Stratman to the ALJ's recommended decision;	.80 hrs 180 /hr	144.00
02/04/00 JRF	Receive and study Koniag's opening brief filed with the Interior Board of Land Appeals in Virginia, and assessed how Koniag's legal theories of ANILCA legislation was particularly persuasive;	2.00 hrs 180 /hr	360.00
02/04/00 JRF	Receive and study Bureau of Indian Affairs' opening brief filed with IBLA, and legal authorities attached thereto;	1.00 hrs 180 /hr	180.00
02/04/00 JRF	Receive and review Koniag's Request for Oral Argument on objections to ALJ Sweitzer's recommended decision;	.10 hrs 180 /hr	18.00
02/07/00 JRF	Telephone conversation with Brennan Cain re: discussed the briefing filed with the IBLA panel in Virginia;	.20 hrs 180 /hr	36.00
02/18/00 JRF	Telephone conversation with B. Cain re: status of briefing before the IBLA;	.20 hrs 180 /hr	36.00
02/22/00 JRF	Receive and review motion filed by Stratman for leave to submit briefing on issue of the Indian Tribe List Act's effect upon the decertification issue;	.10 hrs 180 /hr	18.00
02/22/00 JRF	Telephone conversation with Brennan Cain re: whether to oppose motion by Stratman for leave to file briefing on issue of Indian Tribe List Act;	.20 hrs 180 /hr	36.00
02/23/00 JRF	Lengthy telephone conversation with B. Mothershead re: ANILCA argument, Act of God regulatory exception, standard of review, and learned that ALJ Sweitzer is retiring;	.40 hrs 180 /hr	72.00
02/23/00 JRF	Draft Leisnoi's response to Stratman's motion for leave to submit additional briefing, and pointed out factual errors in Stratman's contentions;	1.00 hrs 180 /hr	180.00
02/28/00 JRF	Receive and review response by Koniag to Stratman's most recent motion;	.10 hrs 180 /hr	18.00
03/13/00 JRF	Receive and review order taking under advisement Koniag's request for oral arguments, and granting Stratman's motion for leave to file a response brief;	.10 hrs 180 /hr	18.00
03/22/00 JRF	Receive and asssss Stratman's settlement letter of March 15th;	.30 hrs 180 /hr	54.00
03/24/00 JRF	Called Collin Middleton to discuss status of IBLA case;	.10 hrs 180 /hr	N/C

FOR PROFESSIONAL SERVICES

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\$ 34,866.00

Leisnoi, Inc.

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## ITEMIZED EXPENSES:

Computer Research Expense - Westlaw	22.54
Outside Office Copying	
Choice Copy Service	743.55
Courier Service/Express Mail	
FedEx	16.38
Courier Service/Express Mail	
FedEx	12.98
Courier Service/Express Mail	
FedEx	16.87
Courier Service/Express Mail	
FedEx	16.87
Courier Service/Express Mail	
FedEx	16.87
Courier Service/Express Mail	
FedEx	16.87
Long Distance Telephone Calls	91.27
Photocopies	17.90
Postage	3.20
Outside Telephone Expenses	4.33

TOTAL ITEMIZED EXPENSES

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\$ 979.63

## BILLING SUMMARY

John R. Fitzgerald	193.70 hrs	180 /hr	34,866.00
John R. Fitzgerald	3.40 hrs	N /C	0.00
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TOTAL FEES			\$ 34,866.00
TOTAL DISBURSEMENTS			\$ 979.63
			-----
TOTAL DUE			<u>\$ 35,845.63</u>